

Serial No. 10/082,204

# REMARKS

## STATUS OF THE CLAIMS

In accordance with the foregoing, claims 1, 5, 13, 14 and 18 have been amended. Claims 1-25 are pending and under consideration.

No new matter is being presented, and approval of the amended claims is respectfully requested.

## REJECTIONS OF CLAIMS 5, 11, 18 AND 24 UNDER 35 U.S.C. §102(e) AS BEING ANTICIPATED BY TAKAKURA ET AL. (U.S. 2002/0007396)

The rejections of claims 5, 11, 18 and 24 are respectfully traversed and reconsideration is requested.

Takakura et al. (hereinafter "Takakura") discloses a system of providing a plurality of chat rooms grouped according to geographic information, as a virtual place in which users talk interactively using audio data. The server of a system selects a chat room of a corresponding area based on the current position of the mobile terminal of a user and allows the user to participated in the chat, performs a mixing process on the audio data transmitted from the terminals of users who participate in the same chat room, and distributes the audio data treated in the mixing process to the terminals of the participants.

The system disclosed by Takakura appropriately changes the chat room of the participants depending on the changes of the current position of a user. The purpose of this feature is to provide communications among a number of general users located in a predetermined area. Therefore, the system in Takakura performs a process of displaying on the map the presence of a chat room relating to a specific place and area.

On the other hand, the present invention discloses a process of displaying the current position of a participant and the position of another participant as *associated with the respective remarks*, as recited in claims 5 and 18. Thus, according to the present invention, it is possible to match participants in a chat room based on current position as well as their remarks.

Therefore, it is respectfully submitted that claims 5 and 18 patentably distinguish over Takakura.

Claims 11 and 24 depend from claims 5 and 18, respectively, and inherit the patentable recitations thereof. Thus, it is respectfully submitted that claims 11 and 24 patentably distinguish over Takakura.

Serial No. 10/082,204

REJECTIONS OF CLAIMS 1-4, 6, 13, 14-17 AND 19 FOR OBVIOUSNESS UNDER 35 U.S.C. §103(a) AS BEING UNPATENTABLE OVER TAKAKURA IN VIEW OF GREENE (U.S. PATENT NO. 6,668,173)

The rejections of claims 1-4, 6, 13, 14-17 and 19 are respectfully traversed and reconsideration is requested.

Takakura discloses a server device 1 that receives audio data, performs a mixing process on the audio data of each participant, and broadcasts, all at once, the same audio data treated in the mixing process, to all participants in the chat room (page 8, paragraphs 0223 and 0114).

In the present invention, recited in claim 1, for example, a server distributes talk data (remarks) as *text data* transmitted from a terminal of a participant to a terminal of other participants. At this time, it is not necessary that the talk data (remark) is merged with the talk data of other participants, but is directly distributed as individual talk data (as text data).

Further, the system of Takakura does not distribute the position information of each participant together with the audio data treated in the mixing process on the terminal of a participant. In Takakura, a server separately announces using audio data when it announces the presence of another approaching participant.

In contrast, according to the present invention, the position information is distributed together with talk data (see, for example, page 8, paragraph 0115 of the Specification). Thus, the system of Takakura cannot accept a remark request, *with the current location of the terminal attached*, from said terminal for permission to make a remark, and delivering the remark, in the form of text data, to the terminals of the other participants of said area chat room by attaching the location of said terminal, as recited in claim 1.

Greene discloses a system of converting the current position information (latitude and longitude) about a mobile terminal, using an instant message, to a predetermined status/position tag such as "at home", "at work", etc. The system further transmits the tag to an instant message server, automatically updates the position tag depending on the travel of the mobile terminal, and transmits the updated tag to the server. Greene does not teach or suggest accepting a remark request, *with the current location of the terminal attached*, from said terminal for permission to make a remark, and delivering the remark, in the form of text data, to the terminals of the other participants of said area chat room by attaching the location of said

Serial No. 10/082,204

terminal

Therefore, it is respectfully submitted that neither Takakura nor Greene, alone or in combination, teaches or suggests the features of claim 1.

Regarding claim 2, the system of Takakura merely notifies a participant of the position information of a set chat room. Takakura does not disclose the process of returning the current position of a participant to a requesting participant, with permission of the participant, at the request of the requesting participant, as recited in claim 2. Thus, it is submitted that neither Takakura nor Greene, alone or in combination, teaches or suggests the features of claim 2.

Regarding claim 3, Takakura discloses selecting a plurality of hierarchical chat rooms having different ranges. Takakura does not disclose the process of creating an area chat room by specifying a range based on the current location of the terminal or a user-specified location if a request to create an area chat room is received from said terminal, as recited in claim 3. Thus, it is submitted that neither Takakura nor Greene, alone or in combination, teaches or suggests the features of claim 3.

Regarding claim 4, Takakura discloses that when the chat room is full, a person who requests to enter the chat room is allowed to participate in the electronic bulletin board, and stay on standby until there is a free space in the chat room. Takakura does not teach or suggest notifying said subscriber's terminal about creation of any area chat room which agrees with the information about said subscriber, as recited in claim 4. Thus, it is submitted that neither Takakura nor Greene, alone or in combination, teaches or suggests the features of claim 4.

Further, claims 2-4 depend from claim 1 and inherit its patentable recitations. Therefore, it is respectfully submitted that claims 2-4 patentably distinguish over the references.

Claim 6 depends from claim 5 and inherits the patentable features thereof. As argued above, Takakura does not teach or suggest the features of claim 5. Therefore, it is further submitted that Greene, alone or in combination with Takakura, teaches or suggests the features of claim 6.

On page 6 of the Office Action, independent claims 13 and 14 are rejected for the same reasons as claim 1. As argued above, claim 1 patentably distinguishes over the references. Therefore, for at least the reasons provided above, it is respectfully submitted that claims 13 and 14 also patentably distinguish over the references.

Claims 15-17 depend from claim 14 and inherit the patentable features thereof. Thus, it is respectfully submitted that claims 15-17 patentably distinguish over the references.

Serial No. 10/082,204

On page 6 of the Office Action, claim 19 is rejected for the same reasons as claim 6. As argued above, claim 6 patentably distinguishes over the references. Thus, for at least the foregoing reasons, it is respectfully submitted that claim 19 also patentably distinguishes over the references.

**REJECTIONS OF CLAIMS 7-10 AND 20-23 FOR OBVIOUSNESS UNDER 35 U.S.C. §103(a) AS BEING UNPATENTABLE OVER TAKAKURA IN VIEW OF KELTS (U.S. 2002/0112237)**

The rejections of claims 7-10 and 20-23 are respectfully traversed and reconsideration is requested.

Kelts discloses a system of mapping and displaying a large amount of resources provided over the Internet and a cable television network using map items such as seas, lands, islands, etc. for a predetermined category and genre. For example, the resources relating to baseball are displayed as a point where an island, indicating the category of sports, is located.

Claims 7 and 20 recite the charted location of the latest speaker is indicated by a shape, color, or method different from those for other speakers when charting the locations of the participants who are in said area chat room.

Thus, it is submitted that neither Takakura nor Kelts, alone or in combination, discloses the features of claims 7 and 20.

Claims 8, 9, 21 and 22 are rejected for the same rationale as claim 7. Therefore, for at least the reasons above for claim 7, it is respectfully submitted that neither Takakura nor Kelts, alone or in combination, discloses the features of claims 8, 9, 21 and 22.

Furthermore, claims 7-10 depend from claim 5 and claims 20-23 depend from claim 18. As asserted above, independent claims 5 and 18 patentably distinguish over Takakura.

Thus, it is respectfully submitted that neither Takakura nor Kelts, alone or in combination, discloses the features of claims 7-10 and 20-23.

**INFORMATION DISCLOSURE STATEMENT**

On page 2 of the Office Action, the Examiner states that the submitted IDS was not considered because the translation is missing.

For the convenience of the Examiner, the English language Abstract of JP 2000167233

Serial No. 10/082,204

is attached hereto. Consideration of the reference (AG) is respectfully requested.

# CONCLUSION

In accordance with the foregoing, it is respectfully submitted that all outstanding objections and rejections have been overcome and/or rendered moot. Further, all pending claims patentably distinguish over the prior art. There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: September 21, 2005

By: David M. Pitcher  
David M. Pitcher  
Registration No. 25,908

1201 New York Avenue, NW, Suite 700  
Washington, D.C. 20005  
Telephone: (202) 434-1500  
Facsimile: (202) 434-1501

## CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being transmitted via facsimile to: Commissioner for Patents,

P.O. Box 1450, Alexandria, VA 22313-1450

on September 21, 2005

By: STAAS & HALSEY

Date: 9/21/05